

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Robert Brian Minish

Docket No. 5:13-CR-56-1BO

Petition for Action on Probation

COMES NOW Arthur B. Campbell, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Robert Brian Minish, who, upon an earlier plea of guilty to Theft of Government Property, in violation of 18 U.S.C. § 641 and False Statements in violation of 18 U.S.C. § 1001, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 2, 2013, to a 48 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 200 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 270 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.
3. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
4. The defendant shall provide the probation office with access to any requested financial information.

In addition he was ordered to pay a \$200.00 special assessment and restitution in the amount of \$28,456.52.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

The probation office is requesting that the home confinement condition be modified so as to not have the defendant on electronic monitoring. Mr. Minish is a paramedic driver and his work hours can vary from day to day including emergency call-outs. His placement on location

monitoring would cause great hardship on both the defendant and the probation office. Furthermore, if location monitoring is utilized, the schedules that will be necessary to allow for employment will result in a very ineffective location monitoring. As a result, we are requesting that the home detention be done without electronic monitoring.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 270 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Arthur B. Campbell
Arthur B. Campbell
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: February 11, 2014

ORDER OF COURT

Considered and ordered this 18 day of February, 2014, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge